No. 1239. FIFTH STREET BUILDING *v.* MCCOLGAN, FRANCHISE TAX COMMISSIONER. Appeal from the Supreme Court of California. June 1, 1942. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for the want of jurisdiction. Section 237 (a), Judicial Code, as amended, 28 U. S. C., § 344 (a). Treating the papers whereon the appeal was allowed as an application for writ of certiorari as required by § 237 (c) of the Judicial Code, as amended, 28 U. S. C., § 344 (c), certiorari is denied. *Mr. Clark J. Milliron* for appellant. *Messrs. Earl Warren,* Attorney General of California, *H. H. Linney* and *Valentine Brooks* for appellee. Reported below: 19 Cal. 2d 143, 119 P. 2d 729.